



General Assembly

February Session, 2012

Amendment

LCO No. 4974

HB0530404974HR0

Offered by:
REP. MINER, 66th Dist.

To: Subst. House Bill No. 5304

File No. 290

Cal. No. 223

"AN ACT CONCERNING CHARITABLE CONTRIBUTIONS PAID IN LIEU OF FINES FOR HUNTING AND FISHING VIOLATIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2012*) (a) The court may, in the
4 disposition of any case concerning an alleged violation of any
5 provision of title 26 of the general statutes concerning hunting or
6 inland waters fishing, including a dismissal or the imposition of a
7 sentence, consider the fact that the defendant made a monetary
8 contribution to the habitat restoration matching subaccount
9 established in section 22a-27v of the general statutes, as amended by
10 this act.

11 (b) In entering a nolle prosequi concerning an alleged violation
12 described in subsection (a) of this section, the state's attorney, assistant
13 state's attorney or deputy assistant state's attorney in charge of the case
14 may consider the fact that the defendant made a monetary
15 contribution to the habitat restoration matching subaccount

16 established in section 22a-27v of the general statutes, as amended by
17 this act.

18 (c) A monetary contribution made by a defendant to the habitat
19 restoration matching subaccount, as provided in this section, shall be
20 paid to the Commissioner of Energy and Environmental Protection.
21 The commissioner shall immediately transmit all contributions
22 received under this section to the State Treasurer for deposit in the
23 habitat restoration matching subaccount.

24 (d) Monetary contributions made pursuant to this section shall be
25 expended by the Commissioner of Energy and Environmental
26 Protection for the purposes outlined in subdivision (6) of subsection
27 (d) of section 22a-27v of the general statutes, as amended by this act.

28 Sec. 2. (NEW) (*Effective July 1, 2012*) (a) The court may, in the
29 disposition of any case concerning an alleged violation of any
30 provision of title 26 of the general statutes concerning marine waters
31 fishing, including a dismissal or the imposition of a sentence, consider
32 the fact that the defendant has made a monetary contribution to the
33 habitat restoration matching subaccount established in section 22a-27v
34 of the general statutes, as amended by this act.

35 (b) In entering a nolle prosequi concerning an alleged violation
36 described in subsection (a) of this section, the state's attorney, assistant
37 state's attorney or deputy assistant state's attorney in charge of the case
38 may consider the fact that the defendant has made a monetary
39 contribution to the habitat restoration matching subaccount
40 established in section 22a-27v of the general statutes, as amended by
41 this act.

42 (c) A monetary contribution made by a defendant to the habitat
43 restoration matching subaccount, as provided in this section, shall be
44 paid to the Commissioner of Energy and Environmental Protection.
45 The commissioner shall immediately transmit all contributions
46 received under this section to the State Treasurer for deposit in the
47 habitat restoration matching subaccount.

48 (d) Monetary contributions made pursuant to this section shall be
49 expended by the Commissioner of Energy and Environmental
50 Protection for the purposes outlined in subdivision (5) of subsection
51 (d) of section 22a-27v of the general statutes, as amended by this act.

52 Sec. 3. Subsection (d) of section 22a-27v of the 2012 supplement to
53 the general statutes is repealed and the following is substituted in lieu
54 thereof (*Effective from passage*):

55 (d) Within the Long Island Sound account, there shall be a
56 subaccount to be known as the "habitat restoration matching
57 subaccount". The subaccount shall contain donations required to be
58 deposited in the subaccount pursuant to section 14-21e. The
59 subaccount may also contain moneys from public or private sources,
60 or from the federal government or a municipal government. The
61 subaccount shall be available to the Commissioner of Energy and
62 Environmental Protection to: (1) Match federal and private habitat
63 restoration and rehabilitation funds, (2) provide grants to
64 municipalities and nonprofit organizations for habitat restoration and
65 rehabilitation purposes within the Long Island Sound watershed, (3)
66 complete wildlife habitat acquisition, enhancement and management
67 projects, (4) promote public habitat restoration, rehabilitation and
68 acquisition outreach within the Long Island Sound watershed, [and]
69 (5) provide support to lobster fishermen adversely impacted by any
70 regulatory action deemed necessary to rebuild the Long Island Sound
71 lobster population, and (6) provide grants to the Turn-In-Poachers
72 nonprofit organization and to staff the department's toll-free hotline
73 that is used by persons to provide information on poaching and other
74 fish and game law violations. Nothing in this section shall prevent the
75 commissioner from obtaining or using funds from sources other than
76 the subaccount for the restoration and rehabilitation of habitats within
77 the Long Island Sound watershed."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	New section
Sec. 3	<i>from passage</i>	22a-27v(d)